

## EXHIBIT 1



Entered on Docket  
May 29, 2007

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle  
United States Bankruptcy Judge

**LEWIS AND ROCA LLP**

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*Attorneys for USACM Liquidating Trust*

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:  
  
USA COMMERCIAL MORTGAGE  
COMPANY,  
  
USA CAPITAL REALTY ADVISORS,  
LLC,  
  
USA CAPITAL DIVERSIFIED TRUST  
DEED FUND, LLC,  
  
USA CAPITAL FIRST TRUST DEED  
FUND, LLC,  
  
USA SECURITIES, LLC,  
  
Debtors.

) Case No. BK-S-06-10725-LBR  
) Case No. BK-S-06-10726-LBR  
) Case No. BK-S-06-10727-LBR  
) Case No. BK-S-06-10728-LBR  
) Case No. BK-S-06-10729-LBR

**CHAPTER 11**

) Jointly Administered Under Case No. BK-S-06-  
) 10725 LBR

) Date: April 26, 2007  
) Time: 9:30 a.m.

**Affecting:**

☐ All Cases

**or Only:**

☒ USA Commercial Mortgage Company

☐ USA Capital Realty Advisors, LLC

☐ USA Capital Diversified Trust Deed Fund,  
LLC

☐ USA Capital First Trust Deed Fund, LLC

☐ USA Securities, LLC

**ORDER SUSTAINING TWENTY-NINTH OMNIBUS OBJECTION OF THE  
USACM LIQUIDATING TRUST TO CLAIMS ASSERTING SECURED STATUS**

The USACM Liquidating Trust (the "USACM Trust") filed its Twenty-Ninth Omnibus Objection to Claims Asserting Secured Status [DE 3187] (the "Objection") on March 20, 2007. Appropriate notice of the Objection was given. No responses were filed with this Court. The Objection came before the Court for hearing on April 26, 2007 at 9:30 a.m. Good cause appearing, it is

**ORDERED:**

- Sustaining the USACM Trust's Twenty-Ninth Omnibus Objection to Claims Asserting Secured Status;
- Reclassifying the Proofs of Claim listed on Exhibit A attached as general unsecured claims; and
- Reserving the right of any party in interest, including the USACM Trust, to further object to any and all claims listed on Exhibit A attached as unsecured claims or otherwise, whether or not the subject of this Objection.

###

**PREPARED AND SUBMITTED:**

**LEWIS AND ROCA LLP**

By: /s/ RC (#0006593)  
Susan M. Freeman  
Rob Charles  
*Attorneys for USACM Liquidating Trust*

CERTIFICATION OF COUNSEL PURSUANT TO LOCAL RULE 9021

In accordance with Local Rule 9021, the undersigned certifies:

- ☐ The Court waived the requirements of LR 9021.
- ☐ I have delivered a copy of this proposed order to all attorneys and unrepresented parties who have appeared at the hearing regarding this matter and/or who filed a written objection and each has:
  - ☐ approved the form of this order;
  - ☐ waived the right to review the order;
  - ☐ failed to file and serve papers in accordance with LR 9021(c); and/or
  - ☐ failed to sign and return this proposed order within five (5) business days in accordance with LR 9021(b).
- ☐ I have delivered a copy of this proposed order to all attorneys and unrepresented parties who appeared at the hearing regarding this matter and/or who filed a written objection and all have either approved the form of this order, waived the right to review the order, failed to file and serve papers in accordance with LR 9021(c) and the following have disapproved the form of the order.
- ☒ No opposition was filed and no other party or counsel appeared at the hearing.

**LEWIS AND ROCA LLP**

By: /s/ RC (#0006593)  
Susan M. Freeman  
Rob Charles  
*Attorneys for USACM Liquidating Trust*

**29th Objection to Claims Asserting Secured Status - Reclassify as General Unsecured Claims**

|    | <u>Claimant</u>  | <u>Proof of Claim<br/>Number</u> | <u>Date Filed</u> | <u>Proof of Claim<br/>Amount</u> | <u>Proof of Claim<br/>Classification</u> |
|----|--|----------------------------------|-------------------|----------------------------------|--|
| 1  | Sondra Skipworth Revocable Trust Dtd<br>11/28/01<br>C/O Sondra Skipworth Trustee<br>3033 Via Venezia<br>Henderson. NV 89052-3807 | 10728-00074                      | 10/16/2006        | \$100,000.00                     | S  |
| 2  | Sonnenklar, Herbert & Norma R<br>2501 Poinciana Dr<br>Weston, FL 33327-1415  | 10725-00528                      | 10/10/2006        | \$170,789.00                     | S  |
| 3  | Souza Jt Ten, David A & Elizabeth M<br>542 Socorro Ct<br>Reno, Nv 89511  | 10725-01960                      | 1/10/2007         | \$515,827.21                     | S,U                                      |
| 4  | Spangler, William M & Jean A<br>711 Gordon Ave<br>Reno, NV 89509   | 10725-00823                      | 10/30/2006        | \$147,895.00                     | S  |
| 5  | Spangler, William M & Jean A<br>711 Gordon Ave<br>Reno, NV 89509   | 10725-01371                      | 11/13/2006        | \$147,895.00                     | S  |
| 6  | Spangler, William M<br>711 Gordon Ave<br>Reno, NV 89509  | 10725-00785                      | 10/27/2006        | \$14,000.00                      | S  |
| 7  | Spangler, William M<br>711 Gordon Ave<br>Reno, NV 89509  | 10725-01370                      | 11/13/2006        | \$14,000.00                      | S  |
| 8  | Sparks Family Trust<br>C/O Michael & Muriel S Sparks<br>1812 Cypress Greens Ave<br>Henderson, NV 89012-6143                      | 10725-00966                      | 11/2/2006         | \$50,000.00                      | S  |
| 9  | Sparks, Lucrecia<br>868 Vegas Valley Dr<br>Las Vegas, NV 89109   | 10725-00208                      | 9/14/2006         | \$4,053.28                       | S  |
| 10 | Spindle, Floyd M<br>706 Ne 22Nd St<br>Grand Prairie, TX 75050-4001   | 10725-01897                      | 1/9/2007          | \$52,753.62                      | S, U                                     |
| 11 | Spring, Donald W & Evelyn Mae<br>3153 Canyon Oaks Ter<br>Chico, CA 95928-3987  | 10725-01787                      | 12/13/2006        | \$51,079.00                      | S  |
| 12 | Spring, Donald W & Evelyn Mae<br>3153 Canyon Oaks Ter<br>Chico, CA 95928-3987  | 10725-01788                      | 12/13/2006        | \$52,219.00                      | S  |
| 13 | Spring, Donald W & Evelyn Mae<br>3153 Canyon Oaks Ter<br>Chico, CA 95928-3987  | 10725-01789                      | 12/13/2006        | \$52,475.00                      | S  |

|    |   |             |            |              |      |
|----|---|-------------|------------|--------------|------|
| 14 | Spring, Donald W & Evelyn Mae<br>3153 Canyon Oaks Ter<br>Chico, CA 95928-3987                       | 10725-01790 | 12/13/2006 | \$53,156.00  | S    |
| 15 | Spring, Donald W & Evelyn Mae<br>3153 Canyon Oaks Ter<br>Chico, CA 95928-3987                       | 10725-01791 | 12/13/2006 | \$53,025.00  | S    |
| 16 | Spring, Donald<br>3153 Canyon Oaks Ter<br>Chico, CA 95928   | 10725-00828 | 10/30/2006 | \$54,500.00  | S    |
| 17 | Stacy Grant Revocable Trust Dtd 12/24/99<br>Trustee<br>934 E Grandview<br>Phoenix, AZ 85022         | 10725-00184 | 9/5/2006   | \$101,791.67 | S    |
| 18 | Stark Family Trust<br>Rolaind L Stark<br>10905 Clarion Ln<br>Las Vegas, NV 89134                    | 10725-01996 | 1/10/2007  | \$99,134.07  | S, U |
| 19 | Stephanie Trager & Lawrence B. Trager<br>4027 La Colina Rd.<br>Santa Barbara, CA 93110-1426         | 10725-00656 | 10/23/2006 | \$100,955.00 | S    |
| 20 | Stephen Family Trust<br>Roy M & Carol J Stephen Ttees<br>1214 YucCA Cir<br>St George, UT 84790-7551 | 10725-00866 | 10/31/2006 | \$127,856.98 | S    |
| 21 | Stephen, Tad<br>120 E South Ave<br>Redlands, CA 92373   | 10725-01134 | 11/8/2006  | \$54,423.61  | S    |
| 22 | Sterling National Bank<br>500 7th Ave<br>11th Fl.<br>New York, NY 10018-4502                        | 10725-00301 | 9/29/2006  | \$22,655.00  | S, U |
| 23 | Sterling, Tom<br>213 Royal Aberdeen Way<br>Las Vegas, NV 89144                                      | 10725-01170 | 10/30/2006 | \$50,000.00  | S    |
| 24 | Sterling, Tom<br>213 Royal Aberdeen Way<br>Las Vegas, NV 89144                                      | 10725-01171 | 10/30/2006 | \$50,000.00  | S    |
| 25 | Sterling, Tom<br>213 Royal Aberdeen Wy<br>Las Vegas, NV 89144                                       | 10725-01176 | 10/30/2006 | \$25,000.00  | S    |
| 26 | Sterling, Tom<br>213 Royal Aberdeen Wy<br>Las Vegas, NV 89144                                       | 10725-01179 | 10/30/2006 | \$25,000.00  | S    |
| 27 | Steuer, Miklos<br>Po Box 60267<br>Las Vegas, NV 89160   | 10725-01389 | 11/27/2006 | \$723,559.36 | S    |

|    |  |             |            |              |      |
|----|--|-------------|------------|--------------|------|
| 28 | Steuer, Miklos<br>Po Box 60267<br>Las Vegas, Nv 89160  | 10725-01390 | 11/27/2006 | \$323,533.78 | S    |
| 29 | Steven Anthony Fontana Trust Dtd 6/28/02<br>C/O Steven Anthony Fontana Ttee<br>262 Violet Note St<br>Henderson, NV 89074-8900              | 10725-00737 | 10/26/2006 | \$86,000.00  | S    |
| 30 | Stevenson Pension Trust Dtd 1/7/94<br>C/O Bert A Stevenson Trustee<br>10 Pine Ln<br>Lakeside, Or 97449-8664                                | 10725-01893 | 1/8/2007   | Unknown      | S, U |
| 31 | Stevenson, Bert<br>500 N Estrella Pkwy B2-405<br>Goodyear, Az 85338  | 10725-01894 | 1/8/2007   | Unknown      | S, U |
| 32 | Stoebling Family Trust<br>C/O David Stoebling Trustee<br>3568 E Russell Rd Ste D<br>Las Vegas, NV 89120-2234                               | 10725-00945 | 11/2/2006  | \$50,000.00  | S, P |
| 33 | Stoebling Family Trust<br>C/O Davidstoebling Trustee<br>3568 E Ruseell Rd Ste D<br>Las Vegas, NV 89120-2234                                | 10725-01068 | 11/2/2006  | \$100,000.00 | P, S |
| 34 | Stoebling, David<br>3568 E Russell Rd Ste D<br>Las Vegas, Nv 89120-2234  | 10725-00946 | 11/2/2006  | \$979.54     | S, P |
| 35 | Stokes Trust, Norma M & Eugene<br>Norma M Kerner Ttee<br>15758 Sunset Dr<br>Powav, CA 92064  | 10725-02287 | 1/12/2007  | \$50,746.52  | S, U |
| 36 | Strauss, Bertha M<br>2099 West Glen Ct<br>Reno, NV 89523   | 10725-00068 | 6/19/2006  | \$71,084.16  | S    |
| 37 | Stricker, Lesley<br>4 Stanley St<br>Pleasantville, NY 10570  | 10725-01958 | 1/10/2007  | \$206,760.87 | S    |
| 38 | Strunk, Allen D<br>2762 Darby Falls Dr<br>Las Vegas, NV 89134  | 10725-01462 | 11/16/2006 | \$50,000.00  | S    |
| 39 | Sugar 1990 Living Revocable Trust Dtd<br>10/4/90<br>William & Marilyn R Sugar Ttees<br>2790 19Th Ave Apt 4<br>San Francisco, CA 94132-1673 | 10725-00539 | 10/10/2006 | \$50,000.00  | S    |
| 40 | Sullivan, Erin & Jean<br>30 Palm Springs Ct<br>Sparks, Nv 89436-0522   | 10725-01085 | 11/7/2006  | \$24,280.00  | S    |

|    |   |             |            |              |      |
|----|---|-------------|------------|--------------|------|
| 41 | Sumpolec 1989 Trust Dated 4/13/89<br>C/O John Sumpolec Jr Trustee<br>2405 Howard Dr<br>Las Vegas. NV 89104-4224               | 10725-00592 | 10/16/2006 | \$50,000.00  | S    |
| 42 | Susan J. Ward Ira<br>26077 Charing Cross Rd.<br>Valencia. CA 91355-2029   | 10725-00686 | 10/20/2006 | \$60,000.00  | S    |
| 43 | Suzanne Arbogast/Gregory R Thompson Jt<br>Ten<br>1005 W Buffington St<br>Unoland. CA 91784                                    | 10725-02131 | 1/11/2007  | \$50,706.85  | S, U |
| 44 | Swezey Ttee Of The Swezey 2001 Trust,<br>Donadl & Beverly W<br>3666 Cherokee Dr<br>Carson City. NV 89705-6813                 | 10725-02295 | 1/12/2007  | \$50,000.00  | S, U |
| 45 | T Dwight Sper Revocable Family Trust<br>C/O T Dwight & Bonnie Sper Ttees<br>1005 Cypress Ridge Ln<br>Las Vegas. NV 89144-1425 | 10725-02191 | 1/12/2007  | UNKNOWN      | S, U |
| 46 | T-2 Enterprises LLC<br>Manager Warren W Tripp<br>250 Greg St<br>Sparks. NV 89431  | 10725-02106 | 1/11/2007  | \$405,856.76 | S, U |
| 47 | T-3 Enterprises LLC<br>Manager Warren W Tripp<br>250 Greg St<br>Sparks. NV 89431  | 10725-02107 | 1/11/2007  | \$304,220.38 | S, U |
| 48 | Tammadge, David<br>7292 Horner St<br>San Diego. CA 92120  | 10725-01352 | 11/13/2006 | \$40,125.15  | S    |
| 49 | Tammadge, Janie<br>1400 Colorado St Ste C<br>Boulder City. NV 89005   | 10725-01009 | 11/6/2006  | \$11,192.97  | S    |